

## **CITY COUNCIL MINUTES**

**March 22, 2010**

**Closed Session**

**Regular Session**

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, March 22, 2010 at 5:00 p.m. with Mayor Powers presiding and City Clerk Joseph G.R. Labrie recording the minutes.

**CALL TO ORDER at 5:00 p.m.**

### **ROLL CALL:**

**Council Members Present:** J. M. Holmes, Kevin Hanley, Bill Kirby, Keith Nesbitt, Bridget Powers

**Council Members Absent:** None

**Staff Members Present:** City Manager Robert Richardson, City Attorney Michael Colantuono, Fire Chief Mark D'Ambrogi, Public Works Director Jack Warren, Engineering Division Manager Bernie Schroeder, Administrative Services Director Andy Heath.

By **MOTION** adjourn to a Closed Session under Government Code Section 54957.6

### **MOTION: Holmes/Hanley/Approved by Voice**

- (1) **CONFERENCE WITH LABOR NEGOTIATORS**  
G.C. 54957.6

Agency Designated Representatives: Robert Richardson, David Mackowiak

Employee Group: All Bargaining Units

**CALLED TO ORDER: REGULAR SESSION at 6:00 p.m.**

### **PLEDGE OF ALLEGIANCE**

### **REPORT OUT OF CLOSED SESSION:**

No reportable action

## **MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/ANNOUNCEMENTS**

Mayor Powers presented a commendation for The Techno Guards, students at the high school who succeeded in a recent technology competition.

## **AGENDA APPROVAL**

The agenda was approved as presented by consensus of the Council.

## **CONSENT CALENDAR**

### **1. Minutes**

By **MOTION** approved City Council Minutes of 02/22/2010.

### **2. Falcons Point Lift Station – Environmental Determination and Permission to Advertise**

By **RESOLUTION 10-20**, found the Falcons Point Lift Station Project categorically exempt from the California Environmental Quality Act (CEQA) per Section 15301 (Existing Facilities); Section 15302 (Replacement or Reconstruction); Section 15303 (New Construction or Conversion of Small Structures).

By **MOTION**, authorized the Director of Public Works to advertise for bids on the Falcons Point Lift Station Project.

### **3. Summer Ridge – Acceptance of Public Improvements/ Final Map/ Reimbursement Agreement**

By **RESOLUTION 10-21**, accepted the public improvements associated with the Summer Ridge Final Map and authorize the Director of Public Works to execute the City of Auburn Subdivision Agreement.

By **RESOLUTION 10-22**, approved the application for recording of the Summer Ridge Final Map at the Placer County Recorder's Office.

By **RESOLUTION 10-23**, authorized the City Manager to execute the Reimbursement Agreement with Old Woodside Construction and Development, Inc. for sewer improvements within Oak Ridge Way.

4. **2009-10 Street Overlay Project – Indian Hill Road – Notice of Completion**

By **RESOLUTION 10-24**, authorized the recording of a Notice of Completion for the 2009-10 Street Overlay Project – Indian Hill Road.

5. **Amendment to the Energy Efficiency and Conservation Block Grant Program**

By **RESOLUTION 10-25**, authorized the amendment to the Energy Efficiency and Conservation Block Grant (EECBG) with the following actions:

1. Authorize the City to accept a grant award up to \$72,483; and
2. Authorize the City to amend application to include the Street Light Retrofit project; and
3. Pursuant to the California Environmental Quality Act (CEQA), find that the Street Light Retrofit qualifies for a Categorical Exemption in accordance with Section 15301 (Existing Facilities) as the project involves maintenance of street lights.

\*\*\*\*\* End of Consent Calendar \*\*\*\*\*

By **MOTION**, approve the consent calendar.

**MOTION: Holmes/ Nesbitt/Approved 5:0**

6. **Public Comment**

Council Member Nesbitt said he bought his St Patrick's Day dinner locally and he urges the community to buy local produced products.

Council Member Kirby announced that his daughter, who graduated locally, has won "Teacher of the Year" at her school and "History Day Teacher of the Year" for Sacramento County.

Council Member Holmes wished Mayor Powers a Happy Birthday.

## **REPORTS**

### **7. Auburn Fire 2009 Incident Response Report – Follow up**

Fire Chief Mark D'Ambrogi presented additional information pertaining to the 2009 Annual Fire Response Report presented in February 2010. The information from this report is available in the City Clerk's Office.

Council Member questions followed regarding: (1) AOS services, (2) Response times, and (3) First Responder Responsibilities.

Fire Chief D'Ambrogi also updated the Council on the shaded fuel break.

Bob Snyder, resident on Marina Ave, Auburn, inquired about his property and whether it is included in the shaded fuel break plan for this year. He also showed his disapproval in the lack of a current shaded fuel break project.

Council Member discussion followed regarding the MOU and being able to put volunteers in the canyon, the steps that will be required to get volunteers to work in the canyon, and concurrent planning of "Plan B" if grant funding is not approved.

Bob Snyder said he would like to see an organized effort that's approved, supervised, and in accordance with all agencies' requirements.

Mayor Powers suggested a meeting be put together with Council Member Hanley who is on the Fire Safe Council, City Manager, Cal Fire and the Mayor to come up with a specific "Plan B".

### **8. City Council Committee Reports**

Council Member Holmes reported on behalf of the Sierra Economic Development Corporation. He said they discussed bringing broadband out to the Auburn Airport. He said SEDCorp. may have funds available to make it happen.

Council Member Holmes said there is a meeting involving Congressman McClintock, Senator Aanestad, California Parks, Bureau of Reclamation, Placer County and the City of Auburn, scheduled for April 12<sup>th</sup> at City Hall, Rose Room, regarding keeping Lake Clementine open.

Council Member Holmes said at the last meeting of Old Town Business Association there was further discussion of parking issues and

enforcement problems on Brewery Lane. He said parking enforcement in Downtown should take effect in 60-90 days.

Mayor Powers reported the Airport Industrial Business Park is having an open house, next Wednesday at 5:30 p.m. at the Airport to discuss the potential forming of an association.

## **COUNCIL BUSINESS**

### **9. Solar Photovoltaic Project**

Director of Public Works Jack Warren introduced the item. He also introduced Kelly McMann, representative from Pacific Power Management.

Jack Warren reviewed the contract for a solar photovoltaic project at the wastewater treatment plant. He also reviewed annual savings potential.

Pacific Power Management representative Kelly McMann presented a slideshow regarding the solar photovoltaic project and his company's responsibilities.

Council Member questions followed regarding: (1) purchase opportunity in ten to twenty years, (2) utility of pond where solar would be built, (3) an additional solar project at the Airport, (4) PG&E rate increase history, (5) Effect on sewer ratepayers, (6) excess electricity uses at other sites, and (7) other City sites that could use solar panels.

Bob Snyder, resident on Martina Avenue, Auburn, asked about determination of fair market value of the solar facilities at the end of the lease.

Kelly McMann addressed the process of determining fair market value of solar system at time of City's purchase. He said there are 3 components: (1) Replacement Value, (2) Recent sales of other Solar Systems and (3) Ability to generate electricity. He said an independent appraiser is hired to determine fair market value.

Mayor Powers clarified Auburn's rating as 6<sup>th</sup> in California for production of electricity from solar projects per capita. She thanked staff for efforts on this project.

By **MOTION**, found that the Solar Photovoltaic Project is exempt from the California Environmental Quality Act (CEQA) subject to Section 15304 (Minor Alterations to Land) and Section 15311 (Accessory Structures).

**MOTION: Holmes/ Hanley/ Approved 5:0**

By **RESOLUTION 10-26**, authorized the Director of Public Works to enter into a Site Access and License Agreement and a Power Purchase Agreement with Pacific Power Management, LLC for a solar photovoltaic project at the Auburn Wastewater Treatment Plant.

**MOTION: Holmes/Hanley/ Approved 5:0**

10. **Local Taxpayer, Public Safety and Transportation Protection Act of 2010**

Council Member Holmes presented the item. He said this statewide measure, which will go on the November ballot, is an effort to reduce the funds that the State can take from local jurisdictions.

Scott Holbrook, resident on Cornell Way, Auburn, expressed his support of this measure.

Dan Sokol, resident on Deerwood Place, Auburn, said he would like to see the wording of this measure.

By **RESOLUTION 10-27**, listed the City of Auburn on the coalition list in support of the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010.

**MOTION: Hanley/Holmes/Approved 5:0**

11. **Letter to Placer County Board of Supervisors regarding Mitigation Funds**

Council Member Kirby invited Auburn Recreation Department representatives to make a presentation on this item.

Kahl Muscott, ARD General Manager, asked that the Council support a draft letter to Placer County Board of Supervisors in regards to the request for use of "Area 5" mitigation funds for a County regional park project. He said these are funds that benefit local Auburn residents in regards to Parks and Recreation programs and should not be diverted to regional projects.

Scott Holbrook spoke about mitigation fees and expressed the importance of these funds to Auburn.

Council Member questions follow regarding: (1) ARD's agreement with Placer County, (2) Draft letter, (3) mitigation fund usage within ARD, (4) documentation showing monies taken, and (5) timeframe.

Dan Sokol, resident on Deerwood Place, Auburn, stated his support of ARD's position.

Bob Snyder, resident on Marina, Auburn, stated his support of ARD in this effort. He also suggested requesting an Economic Impact Audit of the Hidden Falls Regional Park.

By **MOTION**, authorized staff to send a letter to Placer County Parks Commission and the Placer County Board of Supervisors regarding the request for use of Area 5 mitigation funds for Hidden Falls Regional Park including the draft language and more specific details describing the potential negative impact if fees are diverted.

**MOTION: Hanley/Nesbitt/ Approved 5:0**

12. **Sierra Nevada Geotourism Project**

Council Member Holmes introduced the item. He said El Dorado, Placer and Nevada Counties are all involved in this project. He said the objective is to identify geotourism activities, locations, and individuals for this National Geographic Society project. He said approving this resolution will show support of the project in Auburn's community.

By **RESOLUTION 10-28**, endorsed the Sierra Nevada Geotourism Project.

**MOTION: Hanley/Holmes/Approved 5:0**

13. **Ballot Measures to Make City Clerk an Appointed Position**

Council Member Kirby and Council Member Holmes both clarified that the desired action is for staff to provide an analysis showing the pros and cons of the appointed vs. elected positions, not a decision tonight whether or not to put the item on the ballot.

Council Member Powers asked how much staff time this analysis will take.

City Manager Bob Richardson said there are a few other analyses being performed by staff and this one will be completed as those other tasks are completed.

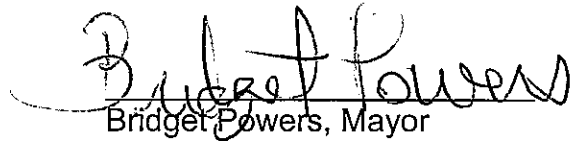
City Clerk Joseph Labrie spoke about the importance of having the City Clerk elected. He said an elected City Clerk provides an "independent voice." He asked why the City Treasurer is not being discussed as well given that the two positions are parallel and they both oversee their departments.

By **MOTION**, direct staff to report to the Council regarding pros and cons and any recommendations related to potential costs, potential savings while ensuring the integrity of public records with either an Appointed or Elected City Clerk.

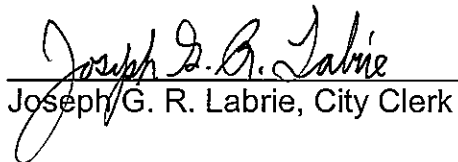
**MOTION: Hanley/ Kirby/ Approved 5:0**

#### **ADJOURNMENT**

Mayor Powers, without objection, adjourned the meeting at 8:25 p.m.



Bridget Powers, Mayor



Joseph G. R. Labrie, City Clerk